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Agenda item 30
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Secretary-General*

1. The present report is submitted pursuant to General Assembly resolution 62/106 of 17 December 2007, the operative part of which reads as follows:

> "*The General Assembly*,
>
> "...
>
> "1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;
>
> "2. *Reiterates its demand* that Israel, the occupying Power, cooperate, in accordance with its obligations as a State Member of the United Nations, with the Special Committee in implementing its mandate;
>
> "3. *Deplores* those policies and practices of Israel that violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the report of the Special Committee covering the reporting period;
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> "4. *Expresses grave concern* about the critical situation in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000, as a result of unlawful Israeli practices and measures, and especially condemns all illegal Israeli settlement activities and the construction of the wall, as well as

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the excessive and indiscriminate use of force against the civilian population, including extrajudicial executions;

"5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

"6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem,

"7. *Further requests* the Special Committee to continue to investigate the treatment of the thousands of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

"8. *Requests* the Secretary-General:

(a) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(b) To continue to make available such staff as may be necessary to assist the Special Committee in the performance of its tasks;

(c) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(d) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(e) To report to the General Assembly at its sixty-third session on the tasks entrusted to him in the present resolution;

"9. *Decides* to include in the provisional agenda of its sixty-third session the item entitled 'Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories'."

2. In a letter dated 22 April 2008 to the Permanent Representative of Israel to the United Nations Office at Geneva, the Special Committee requested full access to the occupied territories in order to fulfil the responsibilities entrusted to it by the General Assembly in resolution 62/106. The Special Committee received no response from the Israeli authorities.

3. The Special Committee was supported by various United Nations agencies during the implementation of its mandate, specifically the Office of the United Nations High Commissioner for Human Rights and the offices of the United Nations Resident Coordinators in Egypt, Jordan and the Syrian Arab Republic in the organization of a mission and by offering in situ support.

4. The Special Committee carried out its mission from 23 June to 5 July 2008. It visited Egypt, Jordan and the Syrian Arab Republic. In the three countries, the Special Committee met with 33 witnesses representing Palestinian non-governmental organizations from the occupied territories and Israeli non-governmental organizations, as well as individuals from the Syrian Arab Republic.

5. Pursuant to paragraph 8 (d) of resolution 62/106, the activities below were undertaken.

Department of Public Information

6. The Department of Public Information disseminated information on the work of the Special Committee during the period from August 2007 to July 2008, using various means at its disposal.

7. Through its range of news and media products, the Department ensured that information on the Special Committee's work and findings was made available, in the six official languages of the Organization, to global audiences either through direct distribution or via broadcast partners.

8. The Special Committee's work was highlighted through the Department's UN News Centre, one of the most heavily visited portals of the United Nations website. Helping to add visibility to the Special Committee's activities, the news stories published on the portal were picked up by a range of United Nations and external websites, including news aggregators, online outlets of educational institutions, special interest groups and blogs. Through the associated e-mail news alerts service (in English and French), the stories were also distributed to over 54,000 subscribers, among them media professionals, government officials and representatives of non-governmental organizations.

9. The Meetings Coverage Section of the Department issued 12 press releases (6 each in English and French) on the Special Committee during the reporting period, including the Special Political and Decolonization (Fourth) Committee's consideration of the agenda item during the sixty-second session of the General Assembly.

10. United Nations Television provided coverage of press conferences, media encounters and formal intergovernmental deliberations where the question of Palestine was addressed, including in the General Assembly and the Security Council. The footage provided by United Nations Television to broadcasters in live feeds and daily highlights packages was used in stories produced and packaged through its UNifeed operation, which distributes its material to broadcasters around the world via satellite and the Internet. United Nations Radio newscasts and current affairs magazines covered the work of the Special Committee and related issues in the six official languages, as well as Portuguese and Kiswahili.

11. The Department also ensured that web pages on the question of Palestine were updated and maintained in the six official languages on the Organization's website (www.un.org) under its Global Issues page, with links to other related pages, including the database of the United Nations Information System on the Question of Palestine (UNISPAL).

12. The *UN Chronicle* magazine featured full coverage of the reports of the Special Committee and *UN Today* included a thorough review of the status of human rights of the Palestinian people.

13. The Dag Hammarskjöld Library continued its cooperation with the Division for Palestinian Rights to digitize older United Nations documents for posting on the Official Document System and on UNISPAL.

14. The report of the Special Committee was distributed to the media, non-governmental organizations, and educational institutions by United Nations information centres, United Nations information services and United Nations offices. The United Nations Information Centre at Cairo arranged for a press conference as well as television interviews for the Committee's members. A number of centres placed opinion pieces by the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator in newspapers.

15. As requested by the General Assembly in its resolution 62/82, the Department held an annual training programme for five young Palestinian journalists at United Nations Headquarters, in Washington, D.C., and in Geneva (from 5 November to 14 December 2007), which included briefings on human rights by officials of the Office of the United Nations High Commissioner for Human Rights and coverage of the work of the General Assembly and the Human Rights Council relating to the question of Palestine.

16. The Department also published a new version of the booklet *The United Nations and the Question of Palestine* and displayed a new exhibit on Palestine at Headquarters. Both tackle the issue of human rights in the Occupied Palestinian Territory.

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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories*

Report of the Secretary-General

1. The present report is submitted pursuant to General Assembly resolution 62/107, the operative part of which reads as follows:

> "*The General Assembly*,
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> "...
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> "1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;
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> "2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;
>
> "3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions and as mentioned in the advisory opinion of the International Court of Justice of 9 July 2004, to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory,

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including East Jerusalem, and other Arab territories occupied by Israel since 1967;

"4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in the resolutions adopted by the General Assembly at its tenth emergency special session, including resolution ES-10/15, with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

"5. *Requests* the Secretary-General to report to the General Assembly at its sixty-third session on the implementation of the present resolution."

2. On 4 September 2008, the Secretary-General addressed a note verbale to the Government of Israel, in which he requested, in view of his reporting responsibilities under the above-mentioned resolution, that the Government inform him of any steps it had taken, or envisaged taking, concerning the implementation of the relevant provisions of the resolution.

3. No reply had been received at the time of the preparation of the present report.

4. By a note verbale dated 4 September 2008 sent to all permanent missions regarding General Assembly resolutions 62/107 and 62/110, the Secretary-General also drew the attention of all the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) to paragraph 3 of resolution 62/107 and paragraph 6 of resolution 62/110.

5. On 17 September 2008, the Permanent Mission of Lebanon replied to the note verbale informing the Secretary-General that the Government of Lebanon had participated in adopting Council of the League of Arab States resolutions 6927 and 6928 of 8 September 2008, which condemned, inter alia, violations of the Fourth Geneva Convention committed by Israel in the occupied Palestinian and other Arab territories.

6. On 22 September 2008, the Permanent Mission of Colombia replied to the note verbale informing the Secretary-General that, with regard to resolution 62/107, the Government of Colombia supported the implementation of the Fourth Geneva Convention in all conflict zones, including the Occupied Palestinian Territory, East Jerusalem and other occupied Arab territories.